

Application No.: 10/718,592

Docket No.: 22106-00048-US

REMARKS

Claims 18-23, 25-29, and 31-35 are now pending in this application. Claims 18 and 29 are independent. Claims 18, 29, 31, 32, 33 have been amended, and claims 24 and 30 have been canceled. No claims have been added.

Apparent Oversights in the Official Action

As a preliminary matter, the undersigned notes several oversights and/or omissions in the Official Action.

For example, with regard to the unpatentability rejection of claims 21-23, the explicit statement of the rejection states that the rejection is over Chewning in view of *David*.

However, in explaining the basis for the rejection of claim 21, the Examiner asserts that "it would have been obvious...to modify Chewning to provide plug, cables and socket as taught by *Duck* so as to provide current" (emphasis added).

Further, in explaining the basis for the rejection of claims 22-23, the Examiner asserts that "Chewning discloses the claimed invention except for one ore *[sic]* more sockets are positioned on one face of the first pair of faces and one or more plugs are positioned on the other face of the first pair of faces...[and that] *Wu* discloses adaptor 30...it would have been obvious...to modify Chewning to provide the adapter as taught by *Wu* so as to join parts together.

Finally, claim 24 is merely objected to by the Examiner, and there is no art rejection set forth concerning claim 24, but this claim appears to have unintentionally not been mentioned in the "Allowable Subject Matter" section of the Official Action, which indicates that claims 30-33 would be allowed if rewritten in independent form.

In reliance upon the lack of an explicit art rejection of claim 24, Applicants have amended the apparently allowable subject matter of claim 24 into independent claim 18.

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Claim Objections

Withdrawal of the objection to claims 24 and 30 is requested. Claims 24 and 30 have been canceled, thus rendering their objection moot.

Anticipation Rejection over Chewning Jr.

Withdrawal of the rejection of claims 18-20 and 25-29 under 35 U.S.C. §102(b) as being anticipated by Chewning Jr. (US 4,469,393) is requested.

Applicant notes that anticipation requires the disclosure, in a prior art reference, of each and every limitation as set forth in the claims.¹ There must be no difference between the claimed invention and reference disclosure for an anticipation rejection under 35 U.S.C. §102.² To properly anticipate a claim, the reference must teach every element of the claim.³ "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference".⁴ "The identical invention must be shown in as complete detail as is contained in the ...claim."⁵ In determining anticipation, no claim limitation may be ignored.⁶ With respect to independent claim 18, as amended, the applied art fails to meet this threshold requirement.

The applied art does not disclose a connection device, which provides that, among other features, "...said mechanical coupling means for connection to a further connection device are positioned on one face of the third pair of faces; and mechanical coupling means suitable for connection to electrical equipment are positioned on another face of the third pair of faces", as recited in independent claim 18, as amended.

Claim 18 now recites the subject matter of claim 24, which has been canceled. Reconsideration and allowance of claims 18-23 and 25-28 are respectfully requested.

¹ *Titanium Metals Corp. v. Banner*, 227 USPQ 773 (Fed. Cir. 1985).

² *Scripps Clinic and Research Foundation v. Genentech, Inc.*, 18 USPQ2d 1001 (Fed. Cir. 1991).

³ See MPEP § 2131.

⁴ *Verdegaal Bros. v. Union Oil Co. of Calif.*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

⁵ *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

⁶ *Pac-Tex, Inc. v. Amerace Corp.*, 14 USPQ2d 187 (Fed. Cir. 1990).

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Further, the applied art does not disclose a low-voltage apparatus which includes, among other features, "a substantially parallelepipedal structure, with a front wall, a rear wall, and a first side wall and second side wall; and one or more connection devices...wherein the one or more of the connection devices are housed in a seat made in one of the side walls of the low-voltage apparatus", as recited in new independent claim 29, as amended.

Claim 29 has been amended to include the allowable subject matter of dependent claim 30, and claim 30 has been canceled. Reconsideration and allowance of claims 29 and 31-35 are respectfully requested.

Unpatentability Rejection over Chewning Jr. and David

Withdrawal of the rejection of claims 21-23 under 35 U.S.C. §103(a) as being unpatentable over Chewning in view of David (US 5,421,746) is requested.

Applicant notes that, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, *the prior art reference must teach or suggest all the claim limitations.*⁷ Further, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure.⁸

Claim 18, from which claims 21-23 depend, has been amended to incorporate the apparent allowable subject matter of claim 24, thus rendering the rejection moot.

Unpatentability Rejection over Chewning Jr. and Duck

Withdrawal of the rejection of claims 34 and 35 under 35 U.S.C. §103(a) as being unpatentable over Chewning in view of Duck (US Publ. 2003/0194914) is requested.

⁷ See MPEP §2143.

⁸ *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) and *See* MPEP §2143.

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The legal requirements for unpatentability have been set forth above.

Claim 29, from which claims 34 and 35 depend, has been amended to incorporate the allowable subject matter of claim 30, thus rendering the rejection moot.

Allowable Subject Matter

Applicants note with appreciation the indication that claims 30-33 are drawn to allowable subject matter. In reliance upon this indication, claim 29 has been amended into independent form to include the allowable subject matter of dependent claim 30. Claim 30 has been canceled. Thus, claims 29 and 31-35 are now also allowable.

In reliance upon the lack of an art rejection of claim 24, claim 18 has been amended to incorporate the apparent allowable subject matter of claim 24.

Conclusion

In view of the above amendment, applicant believes that claims 18-23, 25-29, and 31-35 in the pending application are in condition for immediate allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 22106-00048-US from which the undersigned is authorized to draw.

Respectfully submitted,

By Larry J. Hume

Larry J. Hume, Registration No.: 44,163
CONNOLLY BOVE LODGE & HUTZ LLP
1990 M Street, N.W., Suite 800
Washington, DC 20036-3425
(202) 331-7111
(202) 293-6229 (Fax)
Attorney for Applicant